

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Wesley E. Wills,

Civil No. 11-1652 (RHK/FLN)

Petitioner,

ORDER

v.

Michael J. Astrue, Commissioner of
Social Security,

Respondent.

Based upon the Findings of Fact, Conclusions of Law and Recommendation by United States Magistrate Judge Franklin L. Noel, all the files and records, and no objections having been filed to said Report and Recommendation, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 6) is **ADOPTED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: August 17, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge